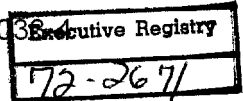


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OGC 72-0661

15 May 1972

MEMORANDUM FOR: Executive Assistant to the Deputy Director

SUBJECT : Acceptance of Foreign Award by General
Walters

1. The Constitution prohibits government employees from accepting awards from foreign governments without the consent of Congress. Congress has given its consent, as to certain awards, by the enactment of a special statute for that purpose. The statute, which applies to civilian employees and to members of the military, states that Congress consents "to the accepting, retaining, and wearing by an employee of a decoration tendered in recognition of active field service in time of combat operations or awarded for other outstanding or unusually meritorious performance," (5 U.S.C. 7342). But the consent is subject to the approval of the employing agency and the concurrence of the Secretary of State.

2. I assume the award involved here would be covered by the above language. Approval of this Agency would meet the requirements of the statute, but it may be desired to also obtain the consent of the Department of the Army. The authority of the Secretary of State to concur in these matters has been delegated to the Chief of Protocol. I am advised by that Office (Mrs. Guilbault) that a memorandum to the Chief of Protocol, outlining the situation and including the consent of the employing department, will suffice. We will be glad to assist with a memorandum or otherwise.



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Associate General Counsel

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